GP/1648

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: John B. Harley, Judith A. James, and Kenneth M. Kaufmann

Serial No.:   09/500,904   Art Unit: 1648

Filed: February 9, 2000   Examiner: S. Foley

For: *DIAGNOSTICS AND THERAPY OF EPSTEIN-BARR VIRUS IN AUTOIMMUNE*
                DISORDERS

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Assistant Commissioner for Patents
Washington, D.C. 20231

DATE:

**Response to Notice to Comply With Requirements for Patent Applications
Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures,
Amendment and Declaration under 37 C.F.R. § 1.821 (f)**

Sir:

Pursuant to 37 C.F.R. 1.136(a), Applicants petition that the period for response to the

Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence

and/or Amino Acid Sequence disclosures mailed on June 13, 2001, and the Notice dated August

24, 2001, in the above-identified application be extended for two months, up to and including

December 13, 2001. A petition for an extension of time and a partial fee for response was filed

October 24, 2001. A check for the fee of $145.00 for a small entity under 37 C.F.R. §1.17(b)

accompanies this petition. Applicants submit a 3 & 1/2" diskette containing a computer-readable

form of the Sequence Listing as well as a paper copy of the Sequence Listing. Applicants also

enclose a copy of the Notice to Comply with Requirements for Patent Applications Containing

Nucleotide Sequence and/or Amino Acid Sequence Disclosures.

It is believed that no additional fee is required with this submission. However, should an
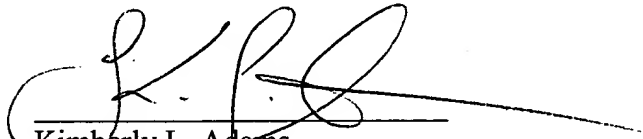
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U.S.S.N.: 09/500,904
Filed: February 9, 2000
Response to Notice to Comply With Requirements for Patent Applications
Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures,
Amendment and Declaration under 37 C.F.R. § 1.821 (f)

additional fee be required, the Commissioner is hereby authorized to charge any additional fees

to Deposit Account No. 50-1868.

Amendment

Please amend the application by replacing the Sequence Listing in the application with

the attached thirty-four (34) pages of Sequence Listing.

Declaration under 37 C.F.R. § 1.821(f)

I declare that the material on the diskette is identical to the enclosed paper copy of the

Sequence Listing and the sequences as filed in the application on February, 9, 2000, that the

Sequence Listing does not add new matter to the application, and that all statements made on

information and belief are believed to be true and further that these statements were made with

the knowledge that willful false statements may jeopardize the validity of the application or any

patent issuing thereon.

Respectfully submitted,

Patrea L. Pabst
Reg. No. 31,284

Dated: December 11, 2001

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Certificate of Mailing Under 37 C.F.R. § 1.8(a)

I hereby certify that this paper, along with any paper referred to as being attached or

enclosed, is being deposited with the United States Postal Service on the date shown below with

sufficient postage as first-class mail in an envelope addressed to the Assistant Commissioner for

Patents, Washington, D.C. 20231.

Kimberly L. Adams

Date: December 11, 2001

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

☐ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.

☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).

☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).

☒ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."

☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).

☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable from of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).

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☐ 7. Other: _____

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Applicant Must Provide:

☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".

☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.

☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:
For Rules Interpretation, call (703) 308-4216
For CRF Submission Help, call (703) 308-4212
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    Technical Assistance.......................................703-287-0200
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